

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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AKUSIA EVANS,

Plaintiff,

No. 19 CV 10896-LTS-DCF

-against-

UNITED STATES DEPARTMENT OF  
EDUCATION,

Defendant.

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ORDER OF DISMISSAL

On February 24, 2021, and March 18, 2021, the Court issued orders advising pro  
se Plaintiff that she had not effected proper and complete service upon Defendant pursuant to  
Federal Rule of Civil Procedure 4(i), and extending her deadline to do so. (Docket entry nos. 14,  
16; see also docket entry nos. 7-8, 10-11, 15.) The Court's February 24, 2021, Order directed  
Plaintiff to show cause no later than March 12, 2021, why the action should not be dismissed for  
failure to effect timely and proper service on Defendant (docket entry no. 14), and the Court's  
March 18, 2021, Order provided that "**[i]f Plaintiff fails to file proof of proper and complete  
service upon Defendant by April 30, 2021, the Court will dismiss this case for failure to  
effect timely and proper service on Defendant.**" (Docket entry no. 16 (emphasis in original).)

Plaintiff has not filed proof of proper and complete service upon Defendant.  
Therefore, and for the reasons set forth in the Court's Orders dated February 24, 2021, and  
March 18, 2021, this action is dismissed without prejudice for failure to effect timely and proper  
service upon Defendant pursuant to Federal Rules of Civil Procedure 4(m).

Chambers will mail of a copy of this Order of Dismissal to Plaintiff.

SO ORDERED.

Dated: New York, New York  
May 14, 2021

/s/ Laura Taylor Swain  
LAURA TAYLOR SWAIN  
Chief United States District Judge

**Copy mailed to:**

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